

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**IDS PROPERTY CASUALTY, a Wisconsin
Corporation,**

Plaintiff,

vs.

**SAMSUNG ELECTRONICS AMERICA,
INC., a Delaware corporation,**

Defendant.

8:19CV471

**AMENDED
CASE PROGRESSION ORDER**

This matter comes before the Court on the parties' Joint Motion for Amended Order for Progression of the Case ([Filing No. 23](#)). After review of the parties' motion, the Court finds good cause to grant the requested extensions. Accordingly,

IT IS ORDERED that the Joint Motion for Amended Order for Progression of the Case ([Filing No. 23](#)) is granted, and the case progression order is amended as follows:

- 1) The deadlines for moving to amend pleadings or add parties is **June 20, 2020**.
- 2) The deadline for completing written discovery under Rules 33, 34, and 36 of the Federal Rules of Civil Procedure is **October 2, 2020**. Motions to compel discovery under Rules 33, 34, and 36 must be filed by **October 16, 2020**.

Note: A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge on or before the motion to compel deadline to set a conference to discuss the parties' dispute, and after being granted leave to do so by the Court.

- 3) The deadline for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is **October 30, 2020**.
- 4) The status conference scheduled for July 6, 2020 is cancelled. A status conference to discuss case progression, dispositive motions, the pretrial conference and trial dates, and settlement status will be held with the undersigned magistrate judge on **November 9, 2020**, at **11:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.

- 5) The deadlines for complete expert disclosures¹ for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff:	November 30, 2020
For the defendant:	January 8, 2021
Plaintiff's rebuttal:	January 22, 2021

- 6) The deadline for filing motions to dismiss and motions for summary judgment is **January 8, 2021**.
- 7) The deposition deadline is **January 29, 2021**.
- 8) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **February 12, 2021**.
- 9) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 10) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 29th day of April, 2020.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge

¹ While treating medical and mental health care providers are generally not considered “specially retained experts,” not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert’s treatment records and reports must be separately and timely disclosed.